

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CSX TRANSPORTATION, INC.
500 Water Street
Jacksonville, FL 32202-4423

Plaintiff

v.

PORT ERIE PLASTICS, INC.
909 Troupe Road
Harborcreek, PA 16421

Defendant.

CIVIL ACTION

CASE NO. 05-139 Erie

**APPENDIX TO CSX TRANSPORTATION, INC.'S CONCISE STATEMENT OF
FACTS IN SUPPORT OF ITS MOTION FOR
SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56**

VOLUME I

Exhibit	Description
A	Excerpts from deposition transcript of James Witkowski
B	Port Erie Plastic, Inc 's responses to interrogatories
C	Excerpts from deposition transcript of Steve Bartosik
D	Affidavit of John Underwood and Exhibits 1 and 2 thereto
E	Affidavit of William Graham
F	Excerpts from Deposition transcript of John T. Johnson